

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
	)	
vs.	)	CASE NO. DNCW3:03CR68-3
	)	(Financial Litigation Unit)
	)	
JOHN WESTON,	)	
Defendant,	)	
and	)	
	)	
CBD INDUSTRIES LLC,	)	
Garnishee.	)	

**ORDER OF CONTINUING GARNISHMENT**

**THIS MATTER** is before the Court on the Answer of CBD Industries LLC as Garnishee. Judgment in the criminal case was filed on October 17, 2003 (Doc. No. 67). As part of that Judgment, the Defendant was ordered to pay an assessment of \$100.00 and restitution of \$246,303.00 to the victims of the crime. *Id.*

On July 20, 2022, the Court entered a Writ of Continuing Garnishment (Doc. No. 137) as to Garnishee CBD Industries LLC. Defendant was served with the Writ and Instructions notifying him of his right to request a hearing on July 21, 2022, and the Garnishee was served on July 21, 2022. The Garnishee filed an Answer on August 12, 2022 (Doc. No. 140) stating that at the time of service of the Writ, it had in its custody, control or possession property or funds owned by Defendant, including non-exempt, disposable earnings. Defendant did not request a hearing, and the statutory time to do so has elapsed.

IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$197,039.56 computed through July 14, 2022. The Garnishee shall pay the United States up to the lesser of (1) twenty-five percent of the Defendant's disposable

earnings which remain after all deductions required by law have been withheld, or (2) the amount by which the Defendant's disposable earnings for each week exceed thirty times the federal minimum wage. *See* 15 U.S.C. § 1673(a). The Garnishee shall continue payments until the debt to the Plaintiff is paid in full or until the Garnishee no longer has custody, possession or control of any property belonging to Defendant or until further Order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

Clerk of the United States District Court  
401 West Trade Street  
Charlotte, North Carolina 28202

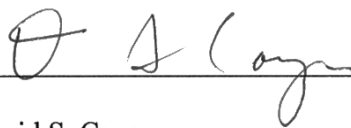
In order to ensure that each payment is credited properly, the following should be included on each check: Court Number DNCW3:03CR68-3.

IT IS FURTHER ORDERED that the Garnishee will advise this Court if Defendant's employment is terminated at any time by the Garnishee or the Defendant.

Plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

**SO ORDERED.**

Signed: September 21, 2022

  
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David S. Cayer  
United States Magistrate Judge

